

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

AUNTY TOOTIE'S, INC. )  
 ) CASE NO.: 5:15-CV-0054  
 PLAINTIFF )  
 ) JUDGE: DAN A. POLSTER  
 V. )  
 )  
 ROUSH'S MARKET, INC., et al. )  
 )  
 DEFENDANTS )

**STIPULATED PERMANENT INJUNCTION**

In partial resolution of this litigation, the parties hereto stipulate to a permanent injunction prohibiting defendants, jointly and severally, and whether individually or in concert or association with others, from using the AUNTY TOOTIE'S name, the trademark of Federal Registration No. 4,390,574 for AUNTY TOOTIE'S, or any substantially similar trademark in association with food products.

Subject to the approval of the Court, the parties hereto respectfully request entry of this permanent injunction.

Respectfully submitted,

s:/Ray L. Weber

Ray L. Weber (0006497)  
Laura J. Gentilcore (0034702)  
Mark L. Weber (0072078)  
RENNER, KENNER, GREIVE, BOBAK,  
TAYLOR & WEBER  
106 South Main Street, Suite 400  
Akron, OH 44308  
Telephone: (330) 376-1242  
Fax: (330) 376-9646  
E-mail: [rlweber@rennerkenner.com](mailto:rlweber@rennerkenner.com)  
E-mail: [ljgentilcore@rennerkenner.com](mailto:ljgentilcore@rennerkenner.com)

s:/Edward L. Gilbert  
Edward L. Gilbert (0014544)  
EDWARD L. GILBERT CO. L.P.A.  
One Cascade Plaza, Suite 825  
Akron, OH 44308  
Telephone: (330) 376-8855  
Fax: (330) 376-8857  
E-mail: [egilbert@edwardlgilbert.com](mailto:egilbert@edwardlgilbert.com)

*Attorneys for Plaintiff*

s:/Barry Y. Freeman  
Barry Y. Freeman (0062040)  
BUCKINGHAM, DOOLITTLE &  
BURROUGHS, LLC  
One Cleveland Center  
1375 East Ninth Street, Suite 1700  
Cleveland, OH 44114  
Telephone: (216) 736-4223  
Fax: (216) 615-3023  
E-mail: [bfreeman@bdblaw.com](mailto:bfreeman@bdblaw.com)

*Attorney for Defendants Diamond K Meats, Inc.  
and Carl Vennitti, Jr.*

s:/Mark A. Greer  
Mark A. Greer (0037198)  
GALLAGHER SHARP  
Sixth Floor – Bulkley Building  
1501 Euclid Avenue  
Cleveland, OH 44115  
Telephone: (216) 241-5310  
Fax: (216) 241-1608  
E-mail: [mgreer@gallaghersharp.com](mailto:mgreer@gallaghersharp.com)

*Attorney for Defendant Roush's Market, Inc.*

So ordered. /s/Dan Aaron Polster 4/9/15